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DATE:

August 25, 2006

TO:

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FROM:

Margaret A. Pruitt for Paul S. Madan Reg. No. 33,011

REFERENCE:

Serial No.: 10/678,569

Atty. Docket No. 564-24872-US

Deposit Account: 02-0429(564-24872-US)

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 14

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Enclosed are the following documents for filing:

1. Response to Office Action dated May 25, 2006.

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I certify that this correspondence, along with any papers referred to as being attached or enclosed, is being transmitted by facsimile to the attention of the Commissioner for Patents, Examiner Kenneth L. Thompson, facsimile No. (571) 273-8300 on this August 25, 2006.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/678,569 Filing Date TRANSMITTAL October 3, 2006 First Named Inventor Yoachim Oppelt **FORM** Art Unit Examiner Name Kenneth L. Thompson (to be used for all correspondence after initial filling) Attorney Docket Number 564-24872-US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC **√** (Appeal Notice, Brief, Reply Brisf) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** 1. Applicant submits a Response to Request for Refund Express Abandonment Request the Office Action dated May 25, CD. Number of CD(s) Information Disclosure Statement Landscape Table on CD **Certified Copy of Priority** Remarks Document(s) The Commissioner is authorized to charge any underpayment or credit Reply to Missing Parts/ Incomplete Application any overpayment to Deposit Account No. 02-0429 (564-24872-US). Repty to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Madan, Mossman & Sriram P.C. Signature Printed name Paul S. Madan Rea. No. Date August 25, 2006 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Gommissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below; Signature Date August 25, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by S5 U.S.C. 122 and 27 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patonia, P.O. Box 1450, Alexandria, VA 22313-1450.

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Margaret A. Pruitt

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Margaret A. Pruitt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|-----------|-------------------------------|
| RE: Joachim Oppelt | § § | Docket No: 564-24872-US |
| Serial No: 10/678,569 | § | Art Unit: 3672 |
| Filed: October 3, 2003 | \$ | Examiner: Kenneth L. Thompson |
| Title: High Data Rate Borehole Telemetry System | 9 9 | Confirmation No.: 2294 |

RESPONSE TO NON-FINAL OFFICE ACTION OF MAY 25, 2006

This is a response to the Non-Final Office Action of May 25, 2006. No new matter has been added by this amendment. Reconsideration of the application as amended below is respectfully requested.

Amendments to the claims begin on page 2.

Remarks begin on page 10.

The Conclusion begins on page 11.